

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-32292-2017
Date of decision: 12.10.2017**

Mohit Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 81 dated 07.09.2015, under Sections 363, 366, 376 of the IPC and Section 4 of the POCSO Act, registered at Police Station Division No. 1, Ludhiana City, District Ludhiana.

Counsel for the petitioner contends that the statement of the prosecutrix has since been recorded on 10.10.2017 in which she has not supported the prosecution version. It is also contended that the petitioner has been in custody for more than two years.

Mr. Sidakmeet Sandhu, AAG, Punjab, has appeared on behalf of respondent-State and contested the bail application. He opposes the grant of regular bail to the petitioner, however, is not in a position to dispute the arguments raised by the counsel for the petitioner.

I have heard learned counsel for the parties and in view of the fact that the statement of the prosecutrix has been recorded in which she has

not supported the prosecution version and the petitioner is in custody for more than two years and, moreover, the trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

12.10.2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No